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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/839,241	04/23/2001	Robert Krause	08049.0765	4011
22852	7590	11/05/2008		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER ELISCA, PIERRE E	
			ART UNIT 3621	PAPER NUMBER
			MAIL DATE 11/05/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

09/839,241

**Applicant(s)**

KRAUSE ET AL.

**Examiner**

Pierre E. Elisca

**Art Unit**

3621

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 7/10/2008.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 4-20, 55-80, 115-122, 126-142 and 177-184 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 4-20, 55-80, 115-122, 126-142 and 177-184 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notices of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

**1. This office action is in response to Applicant's arguments filed on 07/10/2008.**

2. Claims 4-20, 55-80, 115-122, 126-142 and 177-184 are currently pending.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 4-20, 55-80, 115-122, 126-142 and 177-184 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 4-20, 55-80, 115-122, 126-142 and 177-184 are rejected under 35 U.S.C. 102(e) as being anticipated by Tsuei (U.S. Patent No. 6,654,779).

6. As per claim 4, Tsuei teaches a method for providing an electronic change of address service from an old address of a customer to a new address of the customer, comprising: providing a user interface at a change of address server for the customer to

enter change of address information; receiving the change of address information at the change of address server via a network; creating a first change of address record at the change of address server representing the change of address information; validating an identity of the customer at the change of address server; electronically transferring the first change of address record to a service center when the identity is valid, creating a second change of address record at the service center by modifying the first change of address record received from the change of address server; forwarding the second change of address record electronically from the service center to a forwarding service unit corresponding to the old address of the customer at least one of the sub-services within the change of address service, and processing, by the forwarding service unit, the second change of address record received from the service center electronically to automatically redirect mail addressed to the old address of the customer to the new address of the customer (*see col. 3 lines 1-65, 5 lines 10-54, 6 lines 6-7 line 52*).

As per claims 6, 8, 14, 55, 63, 66, 68, 74, 115, 126, 128, 130, 136, and 177, Tsuei discloses the claimed limitations of providing a user interface at a change of address server for the customer to enter change of address information, receiving the change of address information at the change of address server via a network, creating a first change of address record at the change of address server based on the change of address information, validating an identity of the customer at the change of address server, creating a second change of address record using information from the first change of address record received from the change of address server, when the identity

is valid, and processing, by a forwarding service unit, the second change of address record electronically to automatically cause the customer to receive mail addressed to the old address of the customer at the new address of the customer (*see col. 3 lines 1-65, 5 lines 10-54, 6 lines 6-7 line 52*).

As per claims 20, 80 and 142 Tsuei discloses the claimed method, wherein validating includes: determining whether the credit card information matches fraudulent credit card information stored on a database at the change of address server, and validating the identity when there is no match (*see., abstract, col 5 lines 10-54, 6 lines 6-7 line 52*).

7. As per claims 5, 7, 9-13, 15-19, 56-62, 64, 65, 67, 69-73, 75-79, 116-122, 127, 129, 131-135, 137-141, 178-184 they do not further limit the inventive concept disclose in claim 4. Moreover their limitations are clearly taught in Tsuei's disclosure. Therefore they are rejected under the same rationale as claim 4.

## REMARKS

8. In regard to Applicant's representative arguments filed on 07/10/2008, Applicant's representative argues that the prior art of record Tsuei 779" fails to disclose the recited feature:

a. "first change of address record and forwarding a second change of address record electronically when the identity is valid". However, the Examiner respectfully disagrees with Applicant's representative characterization of the prior art. Tsuei clearly discloses a

computer system manages a database of stored records correlating a first e-mail address of an intended recipient, e.g. an old e-mail address, to a second e-mail address, e.g. a new e-mail address of the intended recipient. A program module in the computer system is responsive to an Internet query for accessing the database to determine whether a second e-mail address of the intended recipient is stored in association with a first e-mail address. Also provided are security and authentication measures for ensuring that address change requests are valid and authentic (see., Tsuei, abstract, *col. 3 lines 1-65, 5 lines 10-54, 6 lines 6-7 line 52*). . Accordingly, the cited reference Tsuei discloses a first and a second change of addresses for accessing a database, and therefore is equivalent to Applicant's claimed invention.

b. Applicant further argues that Tsuei fails to disclose the step of creating a second change of address record by modifying the first change of address record.. as recited in claim 4. It is the Examiner's principal position that Tsuei discloses a process of modifying an e-mail message to utilize a second e-mail address as the address for the e-mail message, and automatically transmitting the modified e-mail message to the intended recipient at the second e-mail address (see., Tsuei, claim 21).

### ***Conclusion***

**9. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre E. Elisca whose telephone number is 571 272 6706. The examiner can normally be reached on 6:30 to 5:00. Patents and hoteling.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Fischer can be reached on 571 272 6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ Pierre E. Elisca/  
Primary Examiner, Art Unit 3621